

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

RBC Transport Dynamics Corp.
3131 Segerstrom Avenue
Santa Ana, California 92704

ID No. CAD 046 057 063

Respondent.

Docket HWCA20071424

ENFORCEMENT ORDER

Health and Safety Code
Section 25187

INTRODUCTION

1.1. Parties. The State Department of Toxic Substances Control (Department) issues this Enforcement Order (Order) to RBC Transport Dynamics Corporation. (Respondent).

1.2. Site. Respondent generates and treats hazardous waste at the following site: 3131 Segerstrom Avenue, Santa Ana, California 92704 (Site).

1.3. Generator. The Respondent generates the following hazardous wastes: used oil, machine lubricants and coolants, spent acid and alkaline solutions, rinse waters containing metals, excess resins, and rinse waters containing cyanide.

1.4. Jurisdiction. Section 25187 of the Health and Safety Code authorizes the Department to order action necessary to correct violations and assess a penalty when the Department determines that any person has violated specified provisions of the Health and Safety Code or any permit, rule, regulation, standard, or requirement issued or adopted pursuant thereto.

DETERMINATION OF VIOLATIONS

2. The Department has determined that:

2.1. The Respondent violated California Health and Safety Code, section 25201(a) in that rinse waters which contain cyanide from the plating of parts with cadmium are being treated by evaporation at a point not authorized for the treatment and in that waste resins are cured at a point not authorized for the treatment of hazardous wastes.

2.2. The Respondent violated title 22, California Code of Regulations, section 67450.3(c)(9)(F) and section 66265.192 in that a complete assessment of the tanks and containment for the waste treatment system was not conducted. The December 5, 2003 assessment was missing all of the elements listed in section 66265.192(k). Additionally, the December 5, 2003 assessment does not address the integrity and containment of the waste collection sump in the plating room.

SCHEDULE FOR COMPLIANCE

3.1. The violations have been corrected.

OTHER PROVISIONS

4.1. Additional Enforcement Actions: By issuance of this Order, the Department does not waive the right to take further enforcement actions.

4.2. Penalties for Noncompliance: Failure to comply with the terms of this Order may also subject Respondent to costs, penalties, and/or punitive damages for any costs incurred by the Department or other government agencies as a result of such failure, as provided by Health and Safety Code section 25188 and other applicable provisions of law.

4.3. Parties Bound: This Order shall apply to and be binding upon Respondent, and its officers, directors, agents, employees, contractors, consultants, receivers, trustees, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations.

4.4. Time Periods. "Days" for purposes of this Order means calendar days.

PENALTY

5. Based on the foregoing DETERMINATION OF VIOLATIONS, the Department sets the amount of Respondent's penalty at \$10,500.00 Payment is due within 30 days from the effective date of the Order. Respondent's check shall be made payable to the Department of Toxic Substances Control, and shall identify the Respondent and Docket Number, as shown in the heading of this case. Respondent shall deliver the penalty payment to:

Department of Toxic Substances Control
Accounting Office
1001 I Street, 21st floor
P. O. Box 806
Sacramento, California 95812-0806

A photocopy of the check shall be sent to:

Charles A. McLaughlin, Branch Chief
State Oversight and Enforcement Branch
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

RIGHT TO A HEARING

6. Respondent may request a hearing to challenge the Order. Appeal procedures are described in the attached Statement to Respondent.

EFFECTIVE DATE

7. This Order is final and effective twenty days from the date of mailing, which is the date of the cover letter transmitting the Order to Respondent, unless Respondent requests a hearing within the twenty-day period.

Date of Issuance August 31, 2007

Original signed by Maria Soria

Maria Soria, Section Chief
State Oversight and Enforcement Branch
Enforcement & Emergency Response
Program
Department of Toxic Substances Control